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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/711,692	11/13/2000	Edward F. Tokas	031221-057	8214
7590	04/21/2004		EXAMINER	
James W Wright Lord Corporation P O Box 8012 Cary, NC 27512			KNABLE, GEOFFREY L	
			ART UNIT	PAPER NUMBER
			1733	

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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20040417

DATE MAILED:

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Commissioner for Patents

See attachment.

Geoffrey L. Knable
Primary Examiner
Art Unit: 1733

Notice of Non-Responsive/Non-Compliant Amendment

1. The reply filed on January 23, 2004 is not fully responsive to the prior Office Action (and non-compliant with new amendment rules under 37 CFR 1.,121) because of the following omission(s) or matter(s):

First, the amendment is non-compliant as (1) it deletes wording from claim 1 without providing the required strikethrough text - note that "so that the metathesizable material" in step (c) was present in the previous claim but is not present in the current claim but no strikethrough was used; (2) although the expressed intent is that claims 45-48 be withdrawn, they are given the status identifier "currently amended" rather than "withdrawn" (it being noted that it is permissible to amend claims that have the status identifier "withdrawn"); and (3) the status identifier for claims 50-94, 96 and 98 should state "canceled" rather than "previously canceled" (which is not an allowed status identifier).

Further, the response is non-responsive to the last office action in light of the now apparent confusion with regard to the status of claim 19. In the latest response, it is indicated that claim 19 should be within the elected grouping as it "can read on the elected species of elastomer bonded to metal". This however is species "A1". The reason the examiner indicated that it was not believed to be within the elected species was that it was not believed to be within species "B1" which was also elected by applicant in the 4-21-2003 response. In fact, it seems that claim 19 is specifically directed to the non-elected "B2" embodiment. Clarification is therefore required of the status of claim 19 - if it is considered to be within elected species grouping "B1",

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clarification is required of why. If it is not considered to be elected, it should be re-presented with the "withdrawn" status identifier.

See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Geoffrey L. Knable
Primary Examiner
Art Unit 1733

G. Knable
April 17, 2004